
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

RICKY HAWS,

Plaintiff,

v.

UNITED STATES, ATOMIC ENERGY
COMMISSION, DEPARTMENT OF
DEFENSE, DEPARTMENT OF THE AIR
FORCE, NEVADA TEST SITE, STATE
OF NEVADA, STATE DEPARTMENT,
and JOINT TEST ORGANIZATION,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 2:18-cv-00859-JNP-EJF

Judge Jill N. Parrish

Magistrate Judge Evelyn J. Furse

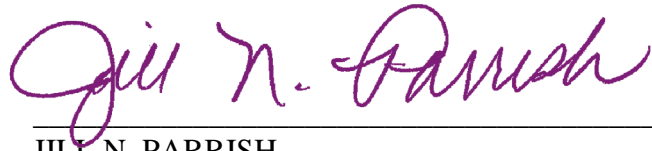
Plaintiff Ricky Haws sued the United States and a number of other entities, proceeding pro se. Magistrate Judge Furse issued a Report and Recommendation that the action be dismissed without prejudice because the complaint fails to state a plausible claim for relief. [Docket 8]. Judge Furse notified Haws that a failure to file a timely objection to her recommendation could waive any objections to it. Haws did not file an objection within the allotted time.

Because Haws did not object to the Report and Recommendation, he waived any argument that it was in error. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if “the interests of justice so dictate.” *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

The court, therefore, dismisses plaintiff Ricky Haws's action without prejudice.

SO ORDERED April 23, 2019.

BY THE COURT:

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

JILL N. PARRISH
United States District Judge